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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA**

## SANTA ANA DIVISION

In re  
SUSAN JO WHITE,  
Debtor.  
Case No. 8:22-bk-10652-SC  
Chapter 7  
APPLICATION FOR APPROVAL OF  
STIPULATION AND STIPULATION TO  
DISMISS CASE PURSUANT TO 11 U.S.C.  
§ 707(b)(2) WITH A 180-DAY BAR TO  
RE-FILING PURSUANT TO 11 U.S.C. §§  
105(a) AND 349(a)  
[No Hearing Required]

The United States Trustee (the "U.S. Trustee"), by his undersigned counsel, and Susan Jo White (the "Debtor"), by her undersigned counsel, (collectively, the "Parties"), do hereby stipulate and agree as follows.

## **Recitals**

This stipulation is entered into with reference to the following facts:

A. On April 18, 2022, the Debtor filed a petition for chapter 7 bankruptcy relief in the United States Bankruptcy Court for the Central District of California, assigned case number 8:22-bk-10652-SC.

1           B.     On June 20, 2022, the Debtor filed her Amended Schedule E/F. On her Amended  
2 Schedule E/F, the Debtor listed \$770,929 in unsecured debts.

3           C.     On June 20, 2022, the Debtor filed her Amended Schedule I. On her Amended  
4 Schedule I, the Debtor stated that she has been employed in outside sales for Riverbed  
5 Technology, Inc. for four years earning monthly gross wages of \$15,568.

6           D.     On June 28, 2022, the Debtor filed her Amended Official Form 122A-2 ("Means  
7 Test Form"). On her Amended Means Test Form, the Debtor listed her Adjusted Current  
8 Monthly Income as \$16,521 and her Deductions as \$19,681.

9           E.     Beginning on May 17, 2022, the U.S. Trustee communicated with Debtor's  
10 counsel requesting that the Debtor provide information and documents about her income,  
11 expenses, and paycheck deductions. In response, the Debtor provided some of the requested  
12 documents. The U.S. Trustee continued to work with counsel to obtain the documents, including  
13 documents responsive to the U.S. Trustee's subsequent requests.

14           F.     Beginning on June 23, 2022, the U.S. Trustee made his first appearance at the  
15 Debtor's 341(a) meeting of creditors. The U.S. Trustee asked the Debtor questions regarding her  
16 income, expenses, paycheck deductions, and financial contributions from third parties for her  
17 benefit. The Chapter 7 Trustee continued the § 341(a) meeting of creditors to July 5, July 25,  
18 August 8, August 29, and September 12, 2022, for the Debtor to produce additional documents  
19 and file amendments to her Schedules, Statement of Financial Affairs, and Means Test Form.  
20 The U.S. Trustee's most recent request to the Debtor for additional documents and additional  
21 amendments to her Means Test Form was on September 1, 2022 and was based upon documents  
22 the Debtor produced on or about August 29, 2022.

23           G.     Based on the information obtained by the U.S. Trustee, the Debtor's Amended  
24 Means Test Form includes deductions to which the Debtor is not entitled and does not disclose  
25 all sources of income. Based on the U.S. Trustee's analysis, the Debtor's case is presumptively  
26 abusive, and the Debtor cannot rebut the presumption.

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1 H. On September 6, 2022, the Debtor informed the U.S. Trustee that she wished to  
2 enter into an agreement for a dismissal of her case under § 707(b)(2). Because the Debtor's case  
3 was the second instance of filing a bankruptcy petition within a one-year period, the U.S. Trustee  
4 requested that the Debtor agree to be barred from re-filing any case under the bankruptcy code  
5 for a period of 180 days. The Debtor further agreed to be barred from re-filing any case under  
6 the bankruptcy code for a period of 180 days.

I. Based on the foregoing, the U.S. Trustee and the Debtor agree that dismissal of  
the Debtor's bankruptcy case is appropriate under § 707(b)(2).

9 L. The Parties are entering into this stipulation freely and voluntarily.

10 K. Therefore, the Parties respectfully request that this stipulation be approved, and  
11 accompanying Order be entered.

### **Stipulation**

13 The U.S. Trustee and Debtor hereby agree that this chapter 7 case be dismissed pursuant  
14 to 11 U.S.C. § 707(b)(2).

15 The U.S. Trustee and Debtor further agree that the Debtor be barred from being a debtor  
16 under any chapter of the Bankruptcy Code for a period of 180 days pursuant to 11 U.S.C. §§  
17 105(a) and 349(a).

19 IT IS SO STIPULATED.

21 Dated: 9/8/2022

By: \_\_\_\_\_  
Anerio Altman, Attorney for Susan Jo  
White

24 | Dated: September 7, 2022

United States Trustee  
By: /s/ Kristin T. Mihelic  
Kristin T. Mihelic  
Trial Attorney

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
OFFICE OF THE U.S. TRUSTEE, 411 W. 4<sup>TH</sup> STREET, #7160, SANTA ANA, CA 92701

A true and correct copy of the foregoing document described as APPLICATION FOR APPROVAL OF STIPULATION AND STIPULATION TO DISMISS CASE PURSUANT TO 11 U.S.C. §707(b)(2) WITH A 180 DAY BAR TO RE-FILING PURSUANT TO 11 U.S.C. §§105(a) and 349(a)

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

I. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”)** – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) (“LBR”), the foregoing document will be served by the court via NEF and hyperlink to the document. On September 9, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below.

- Anerio V Altman LakeForestBankruptcy@jubileebk.net, lakeforestpacer@gmail.com
- Thomas H Casey (TR) msilva@tomcaseylaw.com, thc@trustesolutions.net
- Richard G. Heston rheston@hestonlaw.com, yflores@hestonlaw.com,docs@hestonlaw.com;HestonRR41032@notify.bestcase.com,handhecf@mail.com
- Bill J Parks attparks@aol.com
- United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov

II. **SERVED BY U.S. MAIL OR OVERNIGHT MAIL**(indicate method for each person or entity served): On September 9, 2022, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed

### SEE SUPPLEMENTAL PROOF OF SERVICE

III. **SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL** (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on September 9, 2022, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

September 9, 2022  
Date

Tari King  
Type Name

/s/ Tari King  
Signature